

REMARKS

2. Claims 7-20 are objected to under 37 CFR 1.75(c) for being in improper form.

Applicants have amended claims 7, 8, 13 and 18 to avoid the complained of language and thereby overcome the objection. The aforesaid amendments are related to multiple dependencies and do not involve narrowing of any of the involved claims. Applicants, therefore, respectfully request the objection be withdrawn and claims 7-20 be passed onto allowance.

3. The abstract is objected to for informalities.

Applicants have amended the abstract to correct the identified spelling error. Applicants, therefore, respectfully request the objection be withdrawn.

4. Claims 3/1, 4/1, 5 and 6/1 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, the aforesaid claims are rejected because the term "the control unit" allegedly lacks proper antecedent basis.

Applicants have amended claims 3, 4, 5 and 6 to establish proper antecedent basis for the identified term. Applicants, therefore, respectfully request the rejection be withdrawn and claims 3-6 be passed onto allowance.

6. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,141,293 (hereinafter "Amori-Moriya"). Applicant respectfully disagrees with the Examiner's characterization of Amori-Moriya and the rejections based thereon.

The classic test for anticipation, under 35 U.S.C. §102, requires that every limitation in a claim must be present in a single source reference for that reference to "anticipate" the claimed invention.

Amended claim 1 recites an identification tag that comprises, *inter alia*, an ultrasonic transducer and a radio transmitter which are arranged to transmit at preset intervals or in response to the tag being set in motion or exposed to light.

Amori-Moriya discloses a method of, and an apparatus for, tracking an object in which a control unit "initiates a position determining cycle by transmitting a radio

frequency (RF) signal, which is received substantially simultaneously by the background units and the transmitting units. Upon receiving the RF signal, each of the transmitting units transmits an ultrasound wave of a frequency which is unique to the specific transmitting unit." (column 3, lines 15-20). It can be seen, therefore, that the tags of Amori-Moriya transmit ultrasound waves when and only when they receive a trigger signal from a control unit. The teaching of Amori-Moriya is, therefore, completely different from the identification tag of amended claim 1, which recites that the tag's ultrasound transducer and radio transmitter are arranged to transmit at preset intervals or in response to the tag being set in motion or exposed to light.

As indicated in the present specification, systems such as the one disclosed in Amori-Moriya have a restricted area of application, they require accurate location of all receivers in advance and complicated signal processing, and function best when there is an unobstructed view between the transmitter and receiver. In contrast, with the present invention it is the identification tag itself which initiates transmission of ultrasound, and all information concerning transit time differences of ultrasonic pulses and identification of the tag transmitting the ultrasonic pulses is transmitted from a master unit to a central processing unit. The present invention system, and therefore the claimed identification tag, enables a wider area of application than is possible with the systems like that described in Amori-Moriya. In addition, the system, including the claimed identification tag, will be significantly less sensitive to movement of the identification tag when it is transmitting signals, and the system does not need extensive calibration.

For at least these reasons, applicants respectfully submit that claims 1, 2, 4 and 5 are not anticipated by Amori-Moriya, and ask that the aforesaid rejections be withdrawn, and that claims 1, 2, 4 and 5 be passed to issuance.

7-8. Claim 3 is rejected under 35 U.S.C. §102(b) as being unpatentable over Amori-Moriya in combination with U.S. Published Application 20060066444 (hereinafter "Steeves").

Claim 3 depends from claims 2 and 1. Applicants respectfully direct the Examiner to the above remarks regarding the differences between the identification tag recited in Claim 1 and the disclosure of Amori-Moriya. Claim 2 indicates that the identification tag further comprises a control unit adapted to control the transmission

of ultrasonic signals and radio signals, and claim 3 provides that the radio receiver is connected to the control unit and arranged to receive radio messages from other identification tags.

Applicants respectfully submit that Steeves neither discloses nor suggests tags in which an ultrasonic transducer and a radio transmitter transmit at preset intervals or in response to the tag being set in motion or exposed to light. Consequently, the combination of Steeves and Amori-Moriya does not disclose the subject matter recited in claim 3, nor is the subject matter of claim 3 obvious in view of the disclosures of Amori-Moriya and Steeves for at least the reasons provided above. Applicants, therefore, respectfully request the rejection be withdrawn.

7-8. Claim 6 is rejected under 35 U.S.C. §102(b) as being unpatentable over Amori-Moriya in combination with U.S. Patent 5,959,568 (hereinafter “Woolley”).

Claim 6 depends from claims 2 and 1. Applicants respectfully direct the Examiner to the above remarks regarding the differences between the identification tag recited in Claim 1 and the disclosure of Amori-Moriya. Claim 2 indicates that the identification tag further comprises a control unit adapted to control the transmission of ultrasonic signals and radio signals, and claim 6 provides that the identification tag further comprises a sabotage unit connected to the control unit for detecting any attempt to remove and/or open the identification tag.

Applicants respectfully direct the Examiner to the comments above regarding the differences between claim 1 and the teachings of Amori-Moriya. Applicants respectfully submit that Woolley neither discloses nor suggests identification tags in which an ultrasonic transducer and a radio transmitter transmit at preset intervals or in response to the tag being set in motion or exposed to light. Consequently, the proposed combination does not arrive at the subject matter recited in claim 6. For at least the reasons provided above, applicants respectfully submit that the subject matter of claim 6 is not obvious in view of the disclosures of Amori-Moriya and Woolley, and respectfully request the rejection be withdrawn.

As applicant has traversed the objections and rejections raised by the Examiner, it is respectfully requested that the Examiner withdraw the stated rejections, allow claims 1-34, and pass the present application on to issuance. In the event the Examiner has a question regarding the present application, or would like to

discuss the application, the undersigned attorney invites the Examiner to call at his convenience.

Please charge our Deposit Account No. 50-3381 for the two-month extension of time fee and additional claim fees, as well as any additional fee that may be due in the present application.

Respectfully submitted,

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